

**COMMUNITY EMPOWERMENT (SCOTLAND) ACT 2015**

**ASSET TRANSFER REQUEST FORM**

**IMPORTANT NOTES:**

**This is a standard asset transfer request form which can be used to make a request to any relevant authority. Relevant authorities may also provide their own forms in their own style.**

**You do not need to use this form or a relevant authority's form to make an asset transfer request, but using a form will help you to make sure you include all the required information.**

**You should read the asset transfer guidance provided by the Scottish Government before making a request. Relevant authorities may also provide additional guidance on their schemes.**

**You are strongly advised to contact the relevant authority and discuss your proposals with them before making an asset transfer request.**

**When completed, this form must be sent to the relevant authority which owns or leases the land your request relates to.**

**This is an asset transfer request made under Part 5 of the Community Empowerment (Scotland) Act 2015.**

**Section 1: Information about the community transfer body (CTB) making the request**

1.1 Name of the CTB making the asset transfer request

Arbroath Courthouse Community Trust

1.2 CTB address. This should be the registered address, if you have one.

Postal address:

[REDACTED]  
[REDACTED]  
[REDACTED]

Postcode: [REDACTED]

1.3 Contact details. Please provide the name and contact address to which correspondence in relation to this asset transfer request should be sent.

Contact name: [REDACTED]

Postal address: [REDACTED]

[REDACTED]  
[REDACTED]

Postcode: [REDACTED]

Email: [REDACTED]

Telephone: [REDACTED]

We agree that correspondence in relation to this asset transfer request may be sent by email to the email address given above. *(Please tick to indicate agreement)*

*You can ask the relevant authority to stop sending correspondence by email, or change the email address, by telling them at any time, as long as 5 working days' notice is given.*

1.4 Please mark an "X" in the relevant box to confirm the type of CTB and its official number, if it has one.

	Company, and its company number is .....	
X	Scottish Charitable Incorporated Organisation (SCIO), and its charity number is .....	SC 048065
	Community Benefit Society (BenCom), and its registered number is .....	
	Unincorporated organisation (no number)	

**Please attach a copy of the CTB's constitution, articles of association or registered rules.**

1.5 Has the organisation been individually designated as a community transfer body by the Scottish Ministers?

No

Yes

Please give the title and date of the designation order:

1.6 Does the organisation fall within a class of bodies which has been designated as community transfer bodies by the Scottish Ministers?

No

Yes

If yes what class of bodies does it fall within?

SCIO Registered Charity



## Section 2: Information about the land and rights requested

2.1 Please identify the land to which this asset transfer request relates.

*You should provide a street address or grid reference and any name by which the land or building is known. If you have identified the land on the relevant authority's register of land, please enter the details listed there.*

*It may be helpful to provide one or more maps or drawings to show the boundaries of the land requested. If you are requesting part of a piece of land, you must give a full description of the boundaries of the area to which your request relates. If you are requesting part of a building, please make clear what area you require. A drawing may be helpful.*

Sheriff Courthouse( redundant)

88 High Street,

Arbroath. DD11 1HL

2.2 Please provide the UPRN (Unique Property Reference Number), if known.

*If the property has a UPRN you will find it in the relevant authority's register of land.*

UPRN:

**Section 3: Type of request, payment and conditions**

3.1 Please tick what type of request is being made:

for ownership (under section 79(2)(a)) - go to section 3A

for lease (under section 79(2)(b)(i)) – go to section 3B

for other rights (section 79(2)(b)(ii)) - go to section 3C

**3A – Request for ownership**

What price are you prepared to pay for the land requested? :

Proposed price: £1.00 negotiable.

Please attach a note setting out any other terms and conditions you wish to apply to the request.

**3B – request for lease**

What is the length of lease you are requesting?

How much rent are you prepared to pay? Please make clear whether this is per year or per month.

Proposed rent: £                      per

Please attach a note setting out any other terms and conditions you wish to be included in the lease, or to apply to the request in any other way.

**3C – request for other rights**

What are the rights you are requesting?

Do you propose to make any payment for these rights?

Yes

No

If yes, how much are you prepared to pay? Please make clear what period this would cover, for example per week, per month, per day?

Proposed payment: £                      per

Please attach a note setting out any other terms and conditions you wish to apply to the request.

## **Section 4: Community Proposal**

4.1 Please set out the reasons for making the request and how the land or building will be used.

*This should explain the objectives of your project, why there is a need for it, any development or changes you plan to make to the land or building, and any activities that will take place there.*

*The Trust's vision is to secure a sustainable future for the redundant Courthouse buildings by creating a multi-use centre for the benefit of all the townspeople. Such a community owned and run facility would act as a catalyst for change within the town, stimulating change, new enterprise and greater community engagement including the more vulnerable and disadvantaged as stated in the Trust's Constitution. Such a facility will further help to release the existing local community strengths and skills to ensure success.*

*By creating a multi-purpose centre there would be range of activities that would be carried out within the complex, evidence from the Business Plan indicated that activities of the following could take place:*

*Anchor tenants in the two commercial units that are on street level, provision of space for small and medium size conferences, exhibition space for local heritage, meeting rooms for groups and organisations, social functions, social cafe space for all age groups including migrant workers, cooking classes, crèche, outreach meeting space for health advisors to provide for specialist requirements of individuals and groups, film shows and other performance activities, visitor information contact point, local F.E. College outreach and training projects location.*

*The Trust would act as the over-arching organisation responsible for programming, planning and the general running of the facility combining a mix of employed workers, the voluntary sector and specialist advisors.*

*From the Charrette Report section on 'Development Framework & Action' we quote, referring to the town centre, "is still physically and psychologically still the heart of the place; the place where folk feel a sense of collective belonging and where things should come together -----renewing its purpose to redefine the historic town in the 21<sup>st</sup> century". The Trust sees the opportunity of giving a community role to the former courthouse as an ideal contributor to this strategy.*

*At the initial stage, after acquiring the complex, the Trust envisages that changes to the fabric would largely be of an internal nature in order to add to the inherent flexibility that these buildings present.*



[Empty rectangular box for content]

**Benefits of the proposal**

4.2 Please set out the benefits that you consider will arise if the request is agreed to.

*This section should explain how the project will benefit your community, and others. Please refer to the guidance on how the relevant authority will consider the benefits of a request.*

*The Trust has from the outset of this endeavour always been clear that its primary aim was to bring back into use the former Courthouse buildings as a sustainable*

*community entity. It also recognised that the two buildings have both played an important part in an historic and civic manner, they are iconic in a town sense.*

*The renovated Courthouse will bring people and groups together using the community owned asset to make Arbroath a better place in which to live and work.*

*The organisation will establish a community-owned and managed asset that adapts in response to changing needs emanating from within the community.*

*Planned activity is based around four main themes:*

*A hub bringing people together by providing opportunities for hospitality.*

*A town centre that stimulates the economy.*

*Creating a culture of learning and volunteering that in turn will contribute to employment and resilience.*

*A safe place for vulnerable people and community activism.*

*ACCT is the mechanism round which the community could come together to secure the asset and develop it. The operation of this new centre will be delivered in partnership with user groups and tenants collaborating round a single vision.*

*Operating as a SCIO charitable body under the Constitution there are four main purposes that the Trust will act under, they are,*

*The advancement of community development including urban regeneration.*

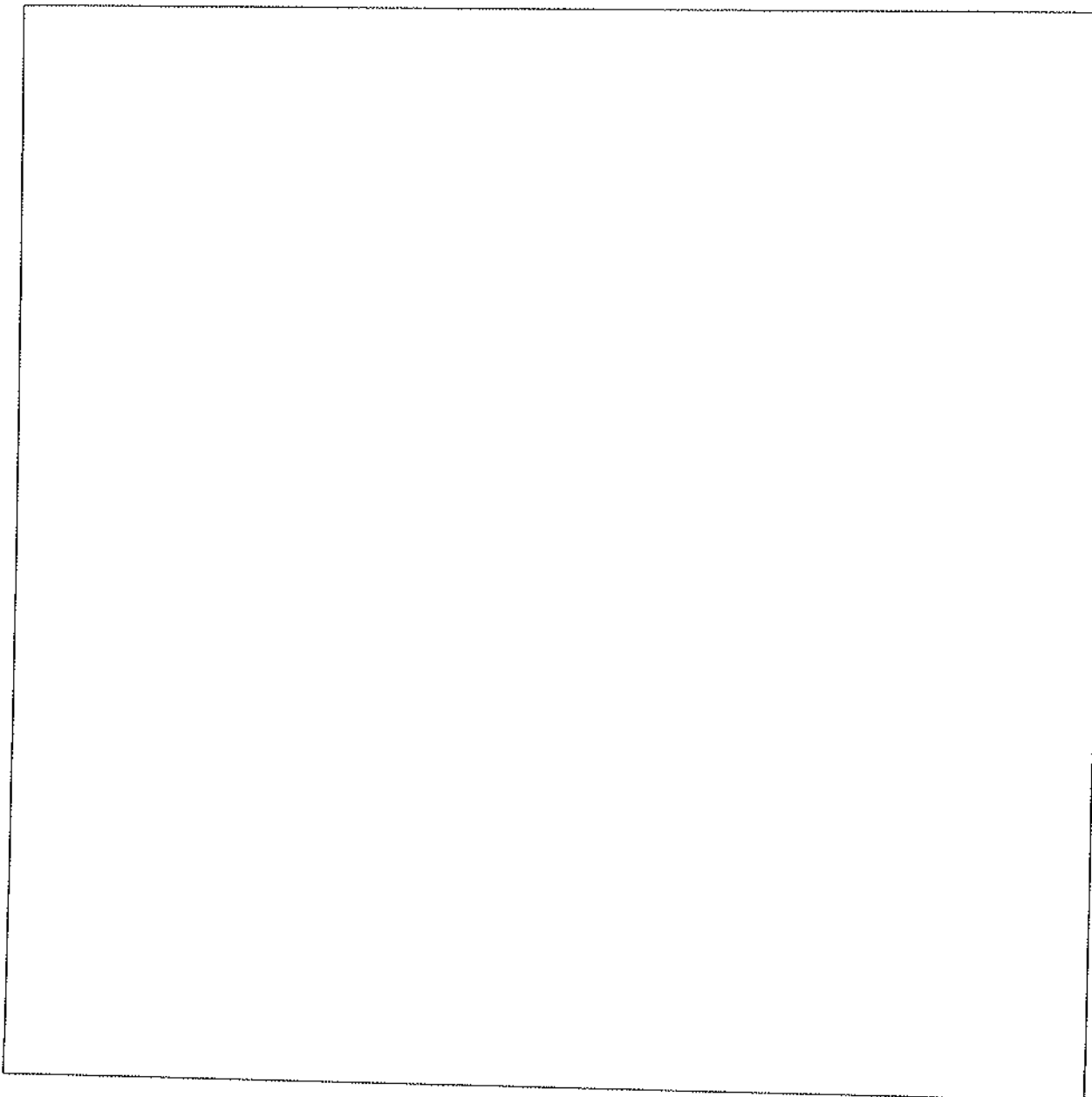
*The advancement of education.*

*The advancement of arts, heritage, culture or science.*

*The relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage.*

*It should be noted that an addition to the Trust working group we have a representative of NHS Tayside, SE Angus Locality Improvement Group, their remit being to provide services links to health and wellbeing in the town. Provision of a space within the centre could be provided for advice and consultation.*

*As part of this application the Trust has submitted a copy of the Business Plan and reference should be made to Section 3, Services, User Groups and Tenants. (pages 20 -22) where more detailed information on how the Trust sees the centre working for community benefit. Reference should also be made to the Appendices part of the Business Plan, eg ,( Pages 7,84—86).*



### **Restrictions on use of the land**

- 4.3 If there are any restrictions on the use or development of the land, please explain how your project will comply with these.

*Restrictions might include, amongst others, environmental designations such as a Site of Special Scientific Interest (SSI), heritage designations such as listed building status, controls on contaminated land or planning restrictions.*

*The Sheriff Courthouse is comprised of two linked buildings , both parts are listed. One building, the Former Townhouse, is listed Category B, the other building, the former Guildry Incorporation building, is listed Category C.*

*The buildings lie within the designated Arbroath Central Conservation Area. Since both parts are listed the Trust would adhere to the policies set in the Angus Council Local Plan. It is not the intention to make any external alterations at this point. The Trust would adhere to the principle of protecting the character of the High Street area.*

#### **Negative consequences**

- 4.4 What negative consequences (if any) may occur if your request is agreed to? How would you propose to minimise these?

*You should consider any potential negative consequences for the local economy, environment, or any group of people, and explain how you could reduce these.*

*The Trust envisages no negative consequences by the acquisition of the property in question. By acquiring the property it would follow Council policy by protecting and enhancing the existing High street. It would provide opportunities for employment, training, volunteering, inclusion of disadvantaged and isolated groups or individuals as well as creating economic benefits for the community.*

## Capacity to deliver

4.5 Please show how your organisation will be able to manage the project and achieve your objectives.

*This could include the skills and experience of members of the organisation, any track record of previous projects, whether you intend to use professional advisers, etc.*

*The Trust commissioned and published a Business Plan in 2015 which was up-dated in 2017. Within the up-dated version there is a clear description of a Management and staffing structure which the Trust would implement. That structure would be overseen by the Courthouse Board as defined in the Constitution,( see below ). The commissioned Business Plan Consultants continue to act in an advisory capacity to the Trust.*

*The present Board has a suitably varied group of individuals bringing their own skills and experience to the Trust's decision making process. These range as follows:*

*A retired Owner/Director of a boatbuilding company, former Community Council member, former Chairman of the Local Area Partnership, committee member of Relay for Life.*

*Director of a boatbuilding company, secretary of Relay for Life group, secretary and treasurer of local Sea Fest Festival.*

*Retired local G.P. who has VSO experience, acts as Chairman of McCarrison Society(nutrition & health) organised national conferences on nutrition and health matters.*

*Local Councillor, support worker/advocacy, disability and equal rights campaigner,*

*Treasurer of Children's Respite Centre, voluntary work with adults with learning disabilities to gain work experience.*

*Communities Officer with Local Council, advisor to groups considering Asset Transfer, membership with CLD Standards Council.*

*Retired schoolteacher, VSO work in Africa. Post Graduate in Environmental & Development Education. Active in support for Syrian families in local community.*

*Retired Head of Personnel in Internationally known tyre manufacturer. Panel member for Investors in People Awards. Ex president local Rotary. Chairman Business Support Group Dundee.*

*Retired Depute Head of School of Architecture University, ex Dean of Faculty, Environmental Studies. Ex Chairman of local Civic Society. Member of local Community Connectors panel.*

*The Trust, being a relatively new organisation, has no recent experience of previous projects within the town. We have used Consultants for the Business Plan and presently are using consultant Architects, QS and Engineers to formulate how the buildings can be adapted for the intended use, a feasibility study will be one outcome.*

*The Trust has built up good local relationships with other voluntary groups within the town and will build on this. Such involvement will help to further increase capacity to develop good practice within the Trust.*

*Reference to the Business Plan, Section 4 Governance & Operational Management*

*Pages 26-30, gives a clear description of how the Trust would structure the running of the facility. The Business Plan consultants would continue to act in an advisory capacity. Existing links to Voluntary Action Angus would be further developed to add another stream of input from the voluntary sector. It is the intention of the Trust to have a representative of that organisation as a Trust ad hoc committee member. Other organisations within the town, if they are not presently Trust members, but who have indicated support would be encouraged to offer their knowledge and experience towards creating successful outcomes both formally and informally.*

*The combination of this collective approach, adhering to the proposed management structure, would ensure that the Trust would be able to successfully organise and run the facility, all within the defined Constitution as a charitable body.*

## **Section 5: Level and nature of support**

- 5.1 Please provide details of the level and nature of support for the request, from your community and, if relevant, from others.

*This could include information on the proportion of your community who are involved with the request, how you have engaged with your community beyond the members of your organisation and what their response has been. You should also show how you have engaged with any other communities that may be affected by your proposals.*

*In forming the Business Plan the consultants undertook extensive research throughout the community at large. The work undertaken for version one of the plan, published in March 2016, was enhanced in the updated version two June 2017. Version two received financial support from the Scottish Land Fund.*

*In the 'Place Challenge 2015' event held in the town by Angus Council, run by Architecture & Design Scotland, DTAS, HES, used the redundant Courthouse as a prime example of re-using an existing building of importance as a potential generator for community involvement. In August 2016 the Arbroath Town Centre Design Charrette used the Courthouse as an example of "an opportunity waiting to happen" as a centrally located hub for community use. The report of this exercise categorised it in the opportunities section "as a high priority of place mending". In the matrix of*

objectives it ticked every one of the eight categories, indicating it to be in the short to medium term time scale by 2020. A further section of that report on sustainable economic investment recognises the potential of the Courthouse as a community asset as one of the proactive centres for the civic economy. Under the heading of Property the report states it as 'a community asset'.

The business plan consultants undertook independent research on a one to one basis with local people, stakeholders, constituted groups, schools, and a review of existing facilities in the surrounding area. There were 209 individual responses together with an overall figure of 400 identified responses. A street survey conducted by Trust members had 400+ positive responses to the concept of reusing the Courthouse as a community facility.

From a small group start the Trust now has over 200 members and continues to grow that membership. In the updated business plan survey material a further 37 completed it, building on the 500 who had previously responded.

At the most recent public meeting, May 2017, 53 attended which included representatives of 18 local organisations. Another round of individual interviews was conducted with local groups and stakeholders increasing the depth of the research carried out by the consultants. Statistical demographics analysis was updated and appear in the Appendices part of the Business Plan. The consultants state that around 600 people have engaged in the research with 250 contributing in detail. In one category of survey respondents 88% 'agreed' or 'strongly' agreed that the project would give Arbroath a better social, economic and sustainable environmental future. Refer to the Business Plan for details on this type of information.

The study area was largely confined to the DD11 postcode area, it does include competitive and partner analysis on a Council wide scale. At present in that area one new initiative is underway in Friockheim where a smaller scale community hub is centred around a redundant primary school with a new extension added. Informal discussion by the Trust with the Chairman of the group for that hub indicated that their efforts would not be adversely affected, they are providing facilities for their immediate rural hinterland as well as the settlement itself.



## **Section 6: Funding**

- 6.1 Please outline how you propose to fund the price or rent you are prepared to pay for the land, and your proposed use of the land.

*You should show your calculations of the costs associated with the transfer of the land or building and your future use of it, including any redevelopment, ongoing maintenance and the costs of your activities. All proposed income and investment should be identified, including volunteering and donations. If you intend to apply for grants or loans you should demonstrate that your proposals are eligible for the relevant scheme, according to the guidance available for applicants.*

*Reference should be made to the Business Plan, Section 6, Finance: Costs, Funding and Sustainability. (pages 31-42)*

*Prolonged discussions with SCTS have taken place and the Trust's offer of a possible acquisition sum of £1.00 is under consideration but not yet accepted. The Chief Finance Officer's letter of 19/2/2018 indicated that £600k was a provisional estimate of maintenance work that was necessary to make the complex safe and able to be used. The SCTS Estates Committee's view is that they are unable to consider the application further without assurance that the Trust can demonstrate that their proposal is financially sustainable. An assessment of the complex in its present state was undertaken by the Trust. Using professional advisors, they concluded that a much lower sum than that indicated above could make the complex operational and safe to use. ACCT's view that a design feasibility study is required*

at this stage to give an accurate, cost based appraisal of how to develop the complex for the intended uses. On that basis ACCT have applied to Architectural Heritage Scotland for funding support and that is currently under consideration. Should this be approved ACCT have secured matched funding for this study as a donation to the Trust.

It should be noted that in the Business Plan section on development costs these are all provisional estimates, by conducting a feasibility exercise a more accurate picture will be revealed of probable costs involved to adapt the complex.

The Trust have had recent discussions with the Big Lottery, Communities Assets Funding Manager, he raised several points that the Trust is now addressing. ACCT will make a response to these points which should enable the relevant committee to consider a formal application that meets the relevant criteria of this funding stream.

The Scottish Land Fund previously supported the Trust's application to update the Business Plan, revalue the buildings and funding support for ancillary activities. Further discussion with SLF will now ensue to establish if revenue funding for the initial stages of starting the project is possible.

ACCT had definite enquiries from three potential long term users of space within the buildings. The two street level shop units rented out could accrue an annual income of £16k, office space rental income of £10k being the other. We cite these as typical examples of the potential for producing revenue streams.

ACCT has an agreement from a local Solicitor that they would carry out any legal work on a pro-bono basis on behalf of the Trust.

As a recognised SCIO Charitable organisation applications to other Charitable Trusts and the Big Lottery, Architectural Heritage Scotland and others mentioned in the Business Plan (pages 31-32) would be possible. In many charitable bodies UK wide it is often a requirement that the applicant owns the building before their application can be considered. This has hampered ACCT's activity in pursuing financial support. If the case for acquisition was agreed with SCTS then the Trust would then be active in making submissions to support organisations. All such organisations have their own timescales and that would have to be taken into consideration.

To this stage the Trust has been the recipient of financial support from the local Guildry Incorporation, NHS Tayside Community Innovation Awards, Arbroath Area Partnership, DTAS, Architecture & Design Scotland, Scottish Land Fund as well as donations in kind. With that initial kind of financial backing it indicates to the Trust that the proposition is a worthwhile cause for the community. The Trust is well aware that funding to sustain the idea is of paramount importance and that aspect cannot be overlooked. We have discussed and taken advice from the Local Authority Funding Officer about more locally based Trusts. It is ACCT's intention to follow this

*advice and prepare applications in line with the specified requirements of such Trusts. In general the local trusts have limited funding to distribute.*

*Up to the present the Trust has had voluntary support in setting up the public meetings, open day at the Courthouse, street survey, increasing membership, distributing information leaflets and survey sheets. One local business provided their premises for one of the public meetings ,free of charge. The Trust Committee has met from the onset in a local business's meeting room with no charges applied.*

## Signature

Two office-bearers (board members, charity trustees or committee members) of the community transfer body must sign the form. They must provide their full names and home addresses for the purposes of prevention and detection of fraud.

This form and supporting documents will be made available online for any interested person to read and comment on. Personal information will be redacted before the form is made available.

**We, the undersigned on behalf of the community transfer body as noted at section 1, make an asset transfer request as specified in this form.**

**We declare that the information provided in this form and any accompanying documents is accurate to the best of our knowledge.**

Name [REDACTED]

Address [REDACTED]  
[REDACTED]  
[REDACTED]

Date [REDACTED]

Position [REDACTED]

Signature [REDACTED]

Name [REDACTED]

Address [REDACTED]  
[REDACTED]

Date [REDACTED]

Position [REDACTED]

Signature [REDACTED]

## Checklist of accompanying documents

To check that nothing is missed, please list any documents which you are submitting to accompany this form.

### Section 1 – you must attach your organisation’s constitution, articles of association or registered rules

Title of document attached

Constitution, Arbroath Courthouse Community Trust.:

### Section 2 – any maps, drawings or description of the land requested

Documents attached: Site /location plan with building marked in red.

### Section 3 – note of any terms and conditions that are to apply to the request

Documents attached:

### Section 4 – about your proposals, their benefits, any restrictions on the land or potential negative consequences, and your organisation’s capacity to deliver.

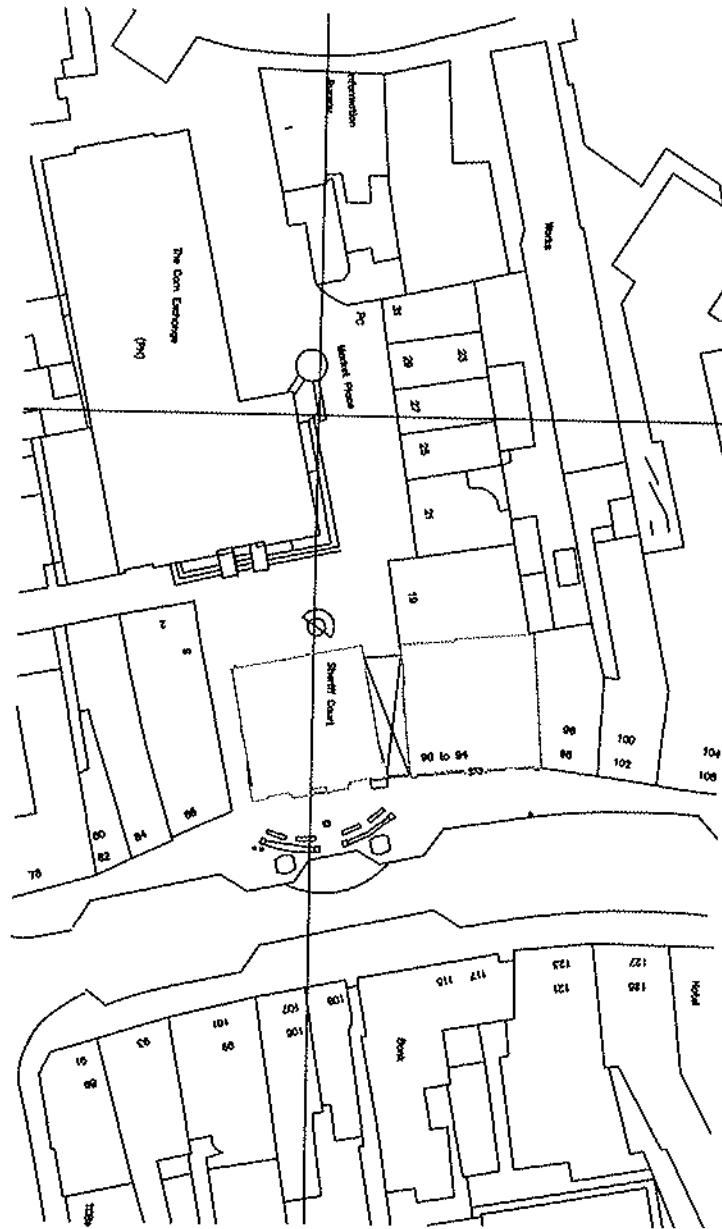
Documents attached: Copy of Business Plan & Appendices.

### Section 5 – evidence of community support

Documents attached: *REFER TO BUSINESS PLAN*

### Section 6 – funding

Documents attached: *REFER TO APPLICATION SECTION FUNDING*



ARBROATH SHERIFF COURT  
PINNACLE SURVEYS  
MARCH 2002